

# UNITED STATES DISTRICT COURT

for the  
Eastern District of Wisconsin

In the Matter of the Search of:

the medical offices of Dr. David I Stein, M.D., also  
known as the offices of Milwaukee Pain Treatment  
Services, located at 5400 North 118th Court, Milwaukee,  
Wisconsin, more fully described in Attachment A.

Case No.

19-MJ-1243

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Eastern District of Wisconsin:

See Attachment A.

I find that the affidavit(s) or any recorded testimony, establish probable cause to search and seize the person or property described above and that such search will reveal:

See Attachment B and C.

**YOU ARE COMMANDED** to execute this warrant ON OR BEFORE 3/29/19 (not to exceed 14 days)

☒ in the daytime between 6:00 a.m. and 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to William E. Duffin

(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for \_\_\_\_\_ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: 3/27/19 @ 3:30 p.m.

William E. Duffin  
Judge's signature

## Return

Case No:	Date and time warrant executed: 3-28-2019 , 6:30AM	Copy of warrant and inventory left with: Sharon Stein
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Inventory made in the presence of:

FBI SA Jill Dring

Inventory of the property taken and/or name of any person(s) seized:

See Attached List

## Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the undersigned judge.

Date: 4-1-2019

  
Executing officer's signatureEnrique Carlton - DEA Special Agent  
Printed name and title

Subscribed, sworn to, and returned before me this date:

Date: 4/1/2019

  
Deputy Clerk

## ATTACHMENT A

The premises to be searched is the business of the Milwaukee Pain Treatment Center: 5400 N. 118<sup>th</sup> Court, Milwaukee, WI 53225. The location is located South of Silver Spring Drive and West of I-41. The premises is a single story, 11,000 square foot building with a two-story glass foyer.



Building  
Along Hwy 45

## ATTACHMENT B

Evidence of violations, from January 1, 2008 to the present, of Title 21, United States Code, Sections 841(a)(1) and 846 (distribution of controlled substances outside the usual course of professional practice and without a legitimate medical purpose and conspiracy to unlawfully distribute controlled substances); Title 18, United States Code, Section 1956 (money laundering); and Title 18, United States Code, Section 1347 (Healthcare fraud), as follows:

1. Patient files (as specified in Attachment C), including but not limited to the complete patient files, prescription records, medical reports, notes of medical personnel and staff members, office notes, progress notes, medical examination notes, medical diagnoses, appointment records, patient sign in sheets, billing records, test results, laboratory tests and results, photographs, x-rays, physician orders, history and physical forms, treatment plans, referrals, consultations, correspondence, patient contracts, patient information, demographic information, and certificates of medical necessity.
2. Prescription forms that may relate to the crimes under investigation, such as pre-filled or pre-signed prescription forms.
3. Records reflecting any policies or procedures of the clinic, including but not limited to billing and training policies and procedures.
4. Records of patient complaints, allegations of substandard care, and unnecessary services performed by representatives, employees and agents of the clinic.
5. Records related to employees and personnel including but not limited to resumes, application forms, licenses, job descriptions, time sheets, employment agreements, management reviews, hiring records, termination records, contracts, IRS Forms 1099 and W-2, cancelled checks, expense reimbursement documents, and credit card receipts for all current and former clinic owners, officers, employees and independent contractors.
6. Communications in any form involving current and former clinic owners, officers, employees, independent contractors, vendors, affiliates, referral sources, financial services providers, potential or actual patients, insurance companies, or government entities to the extent the communications may relate to the crimes under investigation. This includes communications between any employees of the clinic and the clinic itself and communications between and among any of the entities referred to herein.

7. Audio or video recordings, stored in any format, of communications between, or statements of, current and former clinic owners, officers, employees, independent contractors, vendors, affiliates, referral sources, financial service providers, potential or actual patients, security guards, and physical therapists.

8. Contracts with any current or former patients, vendors, affiliates, referral sources, independent contractors, or physical therapists.

9. Records that tend to show the activities, location, or compensation of current and former clinic owners, officers, employees and independent contractors, referral sources, or physical therapists including:

- a. Calendars, schedules, appointment books, timesheets, or address books;
- b. Compensation agreements and payments; or
- c. Documentation related to purchase or other transfer of assets.

10. Corporate records for the clinic, including meeting minutes, strategic planning documents, financial projections and budgets, organizational charts, or other records reflecting corporate decision-making and responsibilities.

11. Financial records reflecting the earnings, income, profits, and assets of the clinic and its owners and corporate officers and directors, including: bank statements, bank books, certificates of deposit, wire transfers, cashier's checks, money orders, currency exchange receipts, check books, brokerage and investment account records, stock certificates, credit cards, credit card statements, tax returns, tax return information, appraisal documents, title documents, safe deposit box keys, storage facility keys, and documents evidencing account members and financial assets of the clinic and its owners and corporate officers and directors.

12. Cash, money orders, or other forms of payment, stored in any location, which represents proceeds from the illegal conduct described herein.

13. Any and all electronic devices belonging to the clinic, its owners, corporate officers, and directors, including but not limited to David Stein and Sharon Stein, which are capable of analyzing, creating, displaying, converting or transmitting electronic or magnetic computer impulses or data. These devices include computers, computer components, and other computer related electronic devices. Documents in any format or medium that concern any accounts with an Internet Service Provider.

14. Documents in any format or medium that concern online storage or other remote computer storage, including, but not limited to, software used to access such

online storage or remote computer storage, user logs or archived data that show connection to such online storage or remote computer storage, and user logins and passwords for such online storage or remote computer storage.

15. Items reflecting the use of file-sharing technology (not to include contents of files shared that are not otherwise within the scope of this attachment).

16. Items reflecting the use of remote-working software or capabilities.

17. Items in the paragraphs above that are stored in computer media, including media capable of being read by a computer (such as external and internal computer hard drives, memory sticks, and thumb drives).

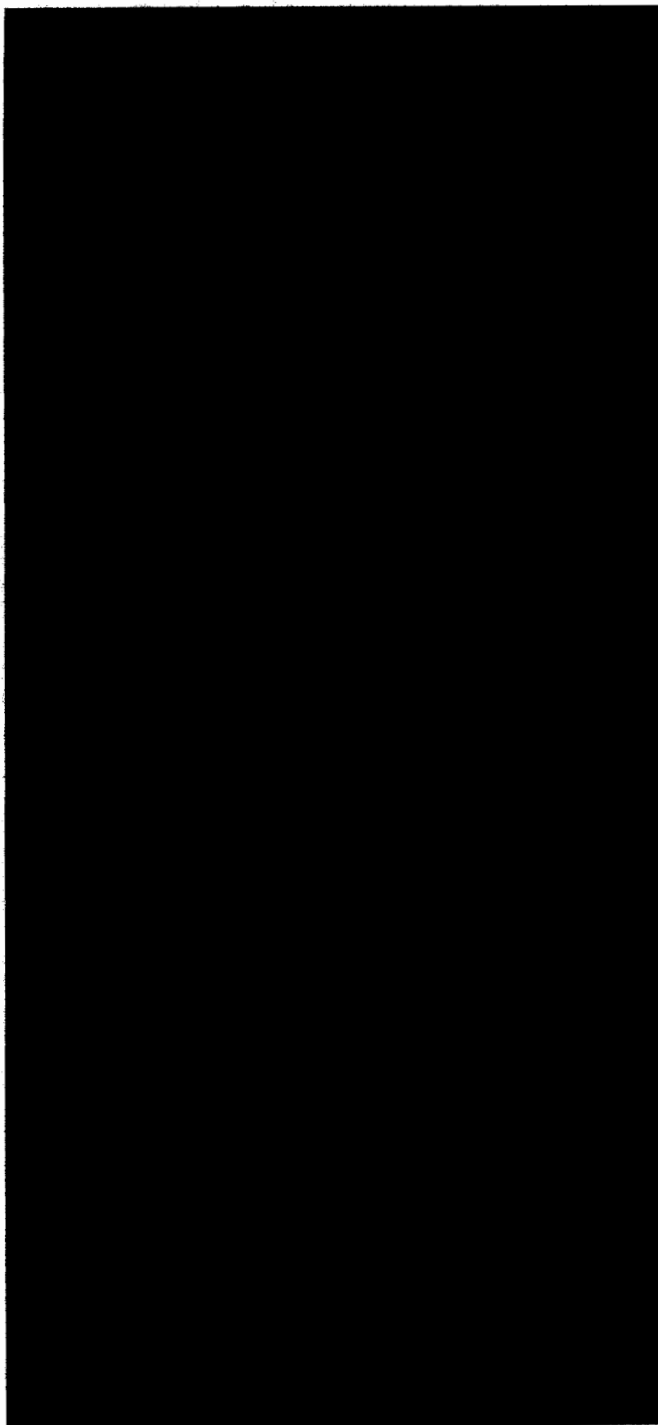
18. Items of personal property that tend to identify the person(s) in residence, occupancy, control, or ownership of the subject premises, including, but not limited to, canceled mail, leases, rental agreements, utility and telephone bills, statements, identification documents, and keys.

19. Items of personal property that tend to establish ownership of assets, including, but not limited to, insurance documents, property titles, receipts for purchases of assets.

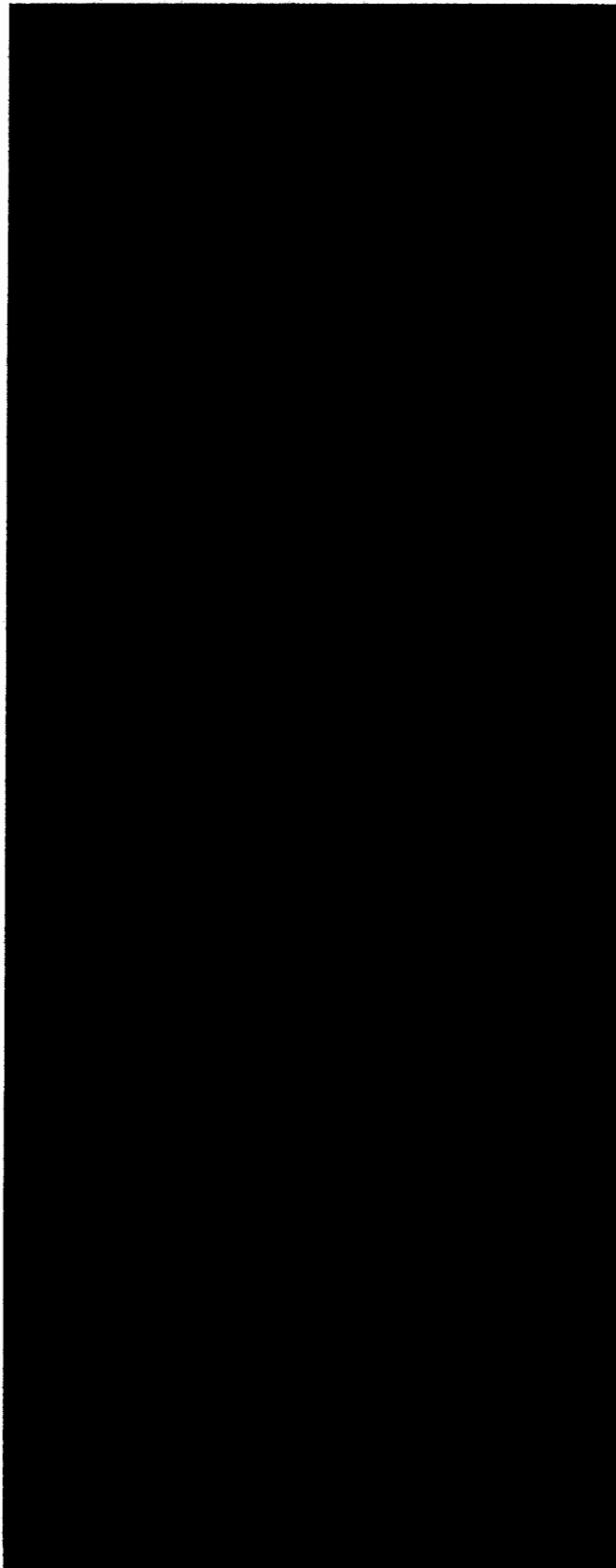
20. Documents identifying other locations where the clinic may maintain financial, medical, and billing records, such as additional office space or storage units.

ATTACHMENT C

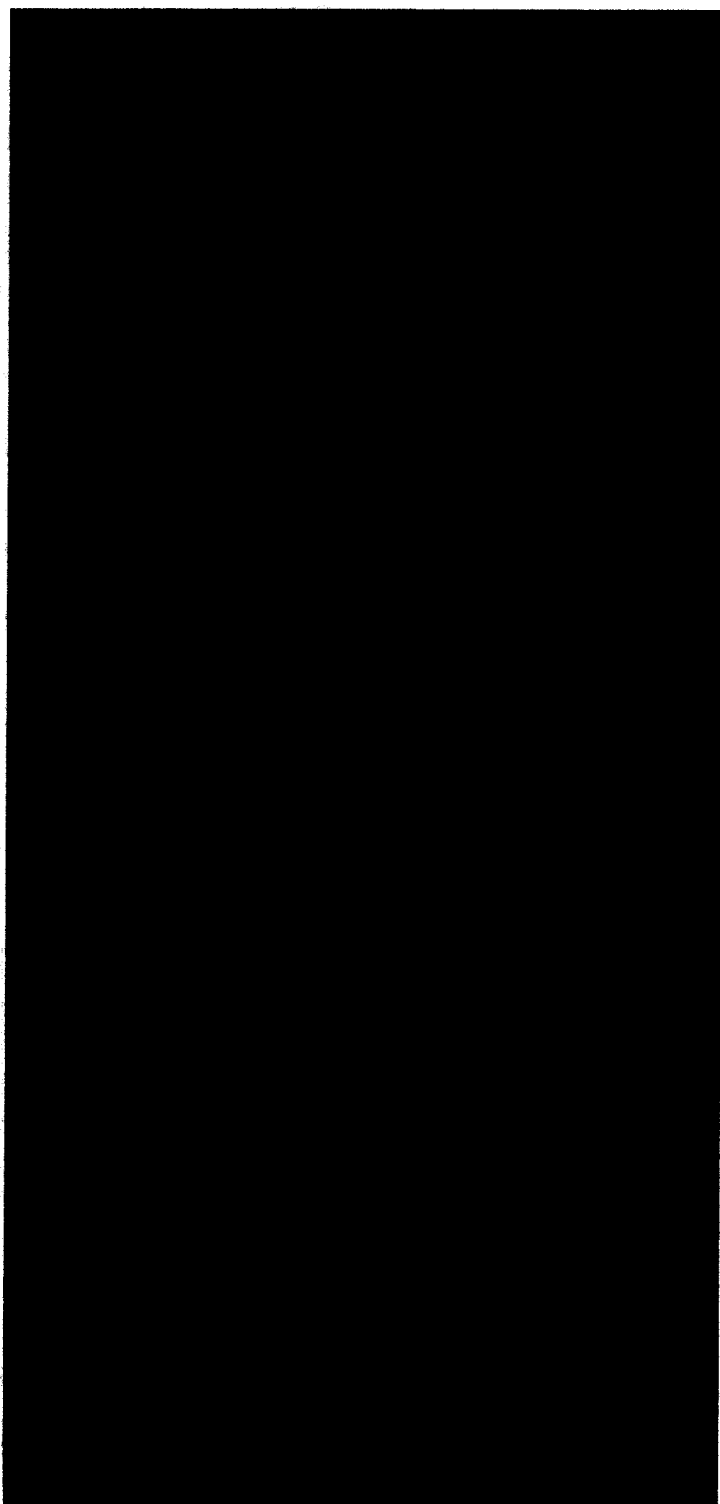
Patient files and records to be seized related to the following individuals.











## EVIDENCE COLLECTED ITEM LOG

Print Legibly. More than one line may be used for each item, if necessary.

Date: 03/28/2019 Case ID: 209G-MW-2961818				Personnel (full names and initials):		
Location: 5400 N. 118th Court, Milwaukee, WI						
Preparer/Assistants: [REDACTED]						
Item #	Description (e.g., One black Samsung flip phone; Serial #)	Location (e.g., Room)	Specific Location (e.g., Specific area w/in room)	Collected by/ Observed by (First Name and Last Name)	Packaging Method	Comments (if needed)
1	Apple iPhone	—	off person Sharon Stein	[REDACTED]	—	extracted iPhone Not taken
2	Medical Records	C	File cabinet 1	[REDACTED]	Box	
3	Medical Records	C	File Cabinet 3	[REDACTED]	Box	
4	Patient Files	D	Inside Filing cabinet	[REDACTED] DEA	Box	
5	Patient Files	D	File cabinets	[REDACTED] DEA	Box	
6	Medical Records	C	File Cabinet	[REDACTED]	Box	
7	[REDACTED] patient file	B	on top of filing cabinet	[REDACTED]	tyvek	
8	[REDACTED] patient file	B	on top of filing cabinet	[REDACTED]	tyvek	
9	[REDACTED] patient file	B	on top of filing cabinet	[REDACTED]	tyvek	

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Item #	Description (e.g., One black Samsung flip phone; Serial #)	Location (e.g., Room)	Specific Location (e.g., Specific area w/in room)	Collected by/ Observed by (First Name and Last Name)	Packaging Method	Comments (if needed)
10	EOB for various insurance providers	N	Room N	[REDACTED]	tyvek	tyvek
11	Black Alessa Desktop	U	on desk near window	HHS	—	Image of Not taken
12	Lenovo Laptop	U	on desk	HHS	—	Image of Not taken
13	toshiba external HD connected to Item 12	U	on desk	HHS [REDACTED]	—	Image of Not taken
14	HP All-In One	U	on desk nearer to door	HHS	—	Image of Not Taken
15	Two(2) Lacie orange/silver external HD's	U	on desk	HHS	—	Image of one Not Taken
16	File containing third party Complaints(DHS) and medical Audit	N	desk file cabinet-west side	[REDACTED]	tyvek	
17	DHS letter and client letters to DHS	N	Desk area-west side	[REDACTED]	tyvek	
18	Copy of treatment sheets for procedures	D	side room counter left counter	[REDACTED]	tyvek	tyvek

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Item #	Description (e.g., One black Samsung flip phone; Serial #)	Location (e.g., Room)	Specific Location (e.g., Specific area w/in room)	Collected by/ Observed by (First Name and Last Name)	Packaging Method	Comments (if needed)
- 19	Billing Prices chart	D	side Room sink Drawer	[REDACTED]		tyvek
- 20	Billing code chart	○	wall by budg chart	[REDACTED]		tyvek
- 21	state of WI Dept Health services X-Ray license, permit, registration	○	wall by phone	[REDACTED]		tyvek
- 22	News Articles regarding opioid prescription	A	behind Desk	[REDACTED]		tyvek
- 23	policies and procedures, patient notes, patient appointment calendar	A	Cabinet near sink	[REDACTED]		tyvek
- 24	Gateway Laptop	A	In Desk Drawer	<u>HHS</u>	—	Not taken
- 25	Patient file for [REDACTED]	B	top Drawer of file cabinet	[REDACTED]		tyvek
- 26	Verbatim USB Flash Drive	F	on Desk	<u>HHS</u>	—	Image of Not taken
- 27	Gun	U	In Drawer	<u>DEA</u>	—	Not taken

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Item #	Description (e.g., One black Samsung flip phone; Serial #)	Location (e.g., Room)	Specific Location (e.g., Specific area w/in room)	Collected by/ Observed by (First Name and Last Name)	Packaging Method	Comments (if needed)
- 28	[REDACTED] File, Policy folders [REDACTED] paperwork	B	on Desk northeast	[REDACTED]	Box	
- 29	[REDACTED] files	B	on cart near reception window	[REDACTED]	tyvek	
- 30	Planner, paperwork	B	on desk near reception window	[REDACTED]	tyvek	
- 31	Patient Lists	N	(table SW corner)	[REDACTED]	tyvek	
- 32	copies of Calendars and patient lists	B	Desk on left side	[REDACTED]	tyvek	
- 33	ASUS Laptop	U	In Desk Drawer	<u>HHS</u>	—	Not taken
- 34	Medical Records	C	File Shelving	[REDACTED]	tyvek	
- 35	Drug selling prescription policy and Diagnosis codes	B	on wall by left side desk	[REDACTED]	tyvek	
- 36	Patient lists and client letters to DHS	N	(File cabinet - South wall)	[REDACTED]	tyvek	

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Preparer/Assistants: _____						
Item #	Description (e.g., One black Samsung flip phone; Serial #)	Location (e.g., Room)	Specific Location (e.g., Specific area w/in room)	Collected by/ Observed by (First Name and Last Name)	Packaging Method	Comments (if needed)
- 37	Billing manuals, INS. correspondence	N	South Desk top cabinet	[REDACTED]	Box	
- 38	Patient Files	U	Desk Drawer	[REDACTED]	Box	
- 39	Thumb Drives (8)		Steiner Office Desk Drawer	PHS	—	Image of Not taken
- 40	Thumb Drives (2)		Steiner Office on top Desk Next to monitor	PHS	—	Not taken
- 41	Pt records [REDACTED]	N	South Desk top cabinet	[REDACTED]	tyvek	
- 42	2008-Current Financial Recrds (5 folders)	T	Sharon Steins Office	[REDACTED]	their own containers	
- 43	28 Boxes of: Money order receipts	N	Filing/storage shelves	[REDACTED]	their own boxes	
- 44	File folder yellow w/ PT documentation	T	Sharon Steins Office	[REDACTED]	tyvek	
- 45	pharmacy letters	T	Sharon Steins Office	[REDACTED]	tyvek	

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- 46	financial, employee, misc documents	T	Sharon Steins OFFICE	[REDACTED]	tyvek	
- 47	medical records of [REDACTED]	C	File shelving	[REDACTED]	tyvek	
- 48	thumb drives (3)	U	top left drawer	DHS	box	Not taken
- 49	Blank Pre-signed Prescriptions	U	top left Desk Drawer	[REDACTED]	tyvek	
- 50	Patient files, patient complaints business records, CME	N	metal storage shelf	[REDACTED]	Box	
- 51	Potential target material - attorney-client privilege documents	N	metal storage shelf	[REDACTED]	Box	
- 52	Date Book / planner	U	on top of desk	[REDACTED]	tyvek	
- 53	Folders with letter from USAO + Articles	U	Room U	[REDACTED]	tyvek	
- 54	Records from filing cabinet (4 boxes)	T	Filing cabinets	[REDACTED]	Box	



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Date: _____ Case ID: _____  Location: _____  Preparer/Assistants: _____	Personnel (full names and initials): _____ _____ _____ _____
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Item #	Description (e.g., One black Samsung flip phone; Serial #)	Location (e.g., Room)	Specific Location (e.g., Specific area w/in room)	Collected by/ Observed by (First Name and Last Name)	Packaging Method	Comments (if needed)
55	Financial and HHS/Medicaid paperwork	T	Sharon Stein's office brown file cabinet	[REDACTED]	Box	
56	Financial Records	T	in Brown Samsonite leather briefcase	[REDACTED]	tyvek	
57	Financial records, CME Info, travel records	T	Desk	[REDACTED]	Box	
58	Financial records, (2 boxes) employment records	T	Desk/credenza	[REDACTED]	Box	
59	desk top tower	D	Room D	[REDACTED]		Not Taken
60	INS Corr., Billing Info	N	South Desk	[REDACTED]	Box	
61	tape recorders + cassettes	U	Room U	[REDACTED]	Paper	
62	morex credit company monthly statements	U	top desk Drawer	[REDACTED]	tyvek	
63	File folder with [REDACTED] [REDACTED] mentioned	U	on credenza top next to shelves	[REDACTED]	tyvek	

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64	laptop computer	N		HHS	—	Image of Not taken
65	corr:med RVW	N	east wall cabinet	[REDACTED]	tyvek	was item 70 is scene
66	Price List	B		—	—	not photo'd taken
67	medical records: [REDACTED]	D	Box on floor near filing cabinets	[REDACTED]	tyvek	
68	shred Bin contents, Calendars	B	East wall	[REDACTED]	tyvek	
69	DVR (2) Nuvico ED-C800 S/N's 008131200025 00821100107 ASUS all-in-one S/N: F6PTTS001664	A	Behind Desk	[REDACTED]	Box	
<del>70</del>	<del>corr:med RVW</del>	<del>N</del>	<del>east wall cabinet</del>	<del>[REDACTED]</del>	<del>[REDACTED]</del>	<del>is changed to item 65</del>
70	gun safe locked "stack on"	U	from shelf	[REDACTED]	Box	
71	Sentry safe	T	under Desk	[REDACTED]	safe	

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<b>Date:</b> _____ <b>Case ID:</b> _____ <b>Location:</b> _____ _____ <b>Preparer/Assistants:</b> _____	<b>Personnel (full names and initials):</b> _____ _____ _____ _____ _____
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[illegible]